

# Staff Summary Report



**Council Meeting Date:** 12/04/03

**Agenda Item Number:** \_\_\_\_\_

**SUBJECT:** This is the second public hearing to annex a remnant parcel of land owned by the City of Tempe south of State Route 202 approximately midway between Rural and Miller Roads.

**DOCUMENT NAME:** 20031204PWMG05 ANNEXATION (0402-01) ORDINANCE NO. 2003.28

**SUPPORTING DOCS:** Yes

**COMMENTS:** This parcel of land is located in an unincorporated portion of the city of Tempe. The parcel was acquired from the Arizona Department of Transportation and lies south of State Route 202 approximately midway between Rural and Miller Roads. The annexation of this city-owned parcel is one of the first steps in the process of creating an improvement district for the Playa del Norte/Miller Road area. In accordance with Arizona Revised Statute 9-471, a public hearing occurred before the Council on October 2, 2003 and direction was to proceed with the annexation.

**PREPARED BY:** CAROL MARTSCH, SENIOR ENGINEERING ASSOCIATE (x8524)

**REVIEWED BY:** ANDY GOH, DEPUTY PW MANAGER/CITY ENGINEER (x8896)

**LEGAL REVIEW AS TO FORM:** CLIFF MATTICE, ASSISTANCE CITY ATTORNEY (x8610)

**FISCAL NOTE:** N/A

**RECOMMENDATION:** That the City Council hold the required public hearings, adopt Ordinance No. 2003.28 and authorize the Mayor to execute any necessary documents.

Approved by Glenn Kephart, Public Works Manager

ORDINANCE NO. 2003.28

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF TEMPE, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF TEMPE

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WHEREAS, a petition in writing, accompanied by a map or plot of said real property described herein, has been filed in the Office of the Maricopa County Recorder and then presented to the Mayor and Council of the City of Tempe, Arizona, signed by the Mayor on behalf of the City of Tempe as owner of record of said real property, which said territory is contiguous to the City of Tempe, and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Tempe, and to extend and increase the corporate limits of the City of Tempe so as to embrace the same; and,

WHEREAS, the Mayor and Council of the City of Tempe, Arizona, are desirous of accepting and complying with said petition and extending and increasing the corporate limits of the City of Tempe to include said territory; and

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Tempe, and had attached thereto at all times an accurate map of the territory desired to be annexed; and

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after the said petition was signed by the owner of real property in such territory; and

WHEREAS, the provisions of A.R.S. 9-471, and amendments thereto, have been fully observed and substantially complied with; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Tempe, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the office of the Maricopa County Recorder.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the following described territory be, and the same hereby is, annexed to the City of Tempe, and that the present corporate limits be, and the same hereby are, extended and increased to include the following described territory contiguous to the City limits, to wit:

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Parcel 1:

That portion of the Northwest Quarter of the Northwest Quarter of Section 14, Township 1 North,

Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the North Quarter corner of said Section 14;

Thence along the North line of said section, South 89° 41' 24" West, 1297.14 feet;

Thence South 00° 23' 24" East, 395.23 feet to the True Point of Beginning;

Thence continuing South 00° 23' 24" East, 247.93 feet;

Thence North 89° 49' 42" West, 226.38 feet;

Thence North 00° 23' 24" West, 242.77 feet to a point on the existing Southerly right of way line of State Route 202L (Red Mountain Freeway);

Thence continuing along said Southerly line of said State Route, North 82° 26' 30" East, 34.09 feet;

Thence North 89° 59' 59" East, 192.54 feet to the True Point of Beginning.

Except any portion previously annexed to the City of Tempe by Ordinance No. 879.

Parcel 2:

The East 30 feet of the Northwest Quarter of the Northwest Quarter of Section 14, Township 1 North,

Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except the South 700.92 feet thereof.

SECTION II. That a copy of this ordinance, together with an accurate map of the territory annexed to the City of Tempe, certified by the Mayor of said City, be forthwith filed and recorded in the office of the County Recorder of Maricopa County, Arizona.

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PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
TEMPE,

ARIZONA this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk